

The North Carolina Standard.

PHILO WHITE,
EDITOR, AND STATE PRINTER.

THE CONSTITUTION AND THE UNION OF THE STATES.....THEY "MUST BE PRESERVED."

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Three dollars per annum, payable half-yearly in advance; but it will be necessary for those living at a distance, or out of the State, to pay an entire year in advance. A subscriber failing to give notice of his desire to discontinue at the expiration of the period for which he may have paid, will be considered as having subscribed anew, and the paper continued, at the option of the Editor, until ordered to be stopped; but no paper will be discontinued until all arrears are paid.

Letters to the Editor must come free of postage, or they may not be attended to.

Advertisements will be inserted at the rate of one dollar per square for three insertions. A liberal discount will be made to those who advertise by the year. Those sending in Advertisements will be good enough to mark the number of times they wish them inserted.

19,000 Dollars for 4 Dollars!
THE 5th CLASS of the NORTH CAROLINA STATE LOTTERY, for 1836, to be drawn on the popular Terminating Figure System, on Saturday the 30th of April, 1836, at Raleigh, N. C.

PRINCIPAL PRIZES.
1 Prize of 10,000, is 10,000
1 Prize of 3,000, is 3,000
1 Prize of 2,000, is 2,000
6 Prizes of 1,000, is 6,000
9 Prizes of 500, is 4,500
10 Prizes of 300, is 3,000
10 Prizes of 200, is 2,000
Besides many of \$100, \$50, \$30, \$20, &c. &c.

Amounting in all to \$150,000. Tickets only 25. Halves 2, Qrs. 1.
A certificate for a package of 10 whole tickets will cost only \$23. Halves and Quarters in the same proportion. To be had, in the greatest variety of numbers, at STEVENSON & POINTS' Office, RALEIGH, N. C.

SPLENDID LOTTERIES.
Virginia State (Leasburg) Lottery,
No. 2, for 1836.
To be drawn at Alexandria, Va. on Saturday, the 7th May, 1836. — Grand Scheme
Capital Prize, \$10,000 Dollars.—10,000, 5,000, 4,000, 3,440, 30 of 3,000, 30 of 1,000, 100 of 500, &c. &c.
Tickets \$10, Halves 5, Quarters 2 50.

Virginia State (Norfolk) Lottery,
No. 2, for 1836.
To be drawn at Alexandria, Va. on Saturday, the 21st May, 1836. — Splendid Scheme.
Capital Prize, \$10,000 Dollars.—10,000, 4,000, 3,000, 2,500, 1,017, and 100 of 1,000, &c.
Tickets \$10, Halves 5, Quarters 2 50.

\$50,000, \$20,000, \$10,000.
Virginia State (Petersburg) Lottery,
No. 9, for 1836.
To be drawn at Alexandria, Va. on Saturday, the 23rd May, 1836. — Magnificent Scheme.
1 Prize of 50,000 Dollars,
1 do 20,000 Dollars,
1 do 10,000 Dollars,
1 do 5,000 Dollars,
1 do 4,000 Dollars,
1 do 3,000 Dollars,
1 do 2,750 Dollars,
1 do 2,500 Dollars,
1 do 2,000 Dollars,
1 do 1,610 Dollars,
1 do 1,500 Dollars,
50 do 1,000 Dollars,
100 do 500 Dollars,
&c. &c. Tickets only \$10, Halves \$5, Quarters \$2 50; Certificates of Packages of 25 whole tickets \$140, shares in proportion. For Tickets and Shares, or certificate of Packages, in the above Lotteries, address D. S. GREGORY & CO. MANAGERS, WASHINGTON, D. C.

Orders from a distance promptly attended to, and the drawings sent as usual.

Fresh Drugs, Medicines & Chemicals.
WILLIAMS HAYWOOD & CO. are now receiving from New York and Philadelphia, their full supply of Drugs, Medicines, and Chemicals, Paints, Oils, and Dye Stuffs, Hatters Materials, &c. &c. All of which will be relied upon as being of the most pure and genuine qualities. Their Chemicals consist in part of the following:

Acetate Morphine	Hydrate Potasse
Citrate do	Nitrate Silver
Sulphate do	" Antimony
" Quinine, French	Kreosote
Strychnine	Black Oxide Mercury
Pipecrine	" Blue Mass (London)
Veratrine	" Oil Copahu
Emetine	" Cubeba
Phosphorus	" Croton
Chauliopotass	Extr. Kalmuck
" Kali	" Thiridace
Bichromate Potass	" Sarsaparilla

An ounce of the last named article, added to one quart of water, instantly forms the compound decoction of Sarsaparilla, of the London Pharmacopoeia.

They have also received a supply of superior Trusses, and suspensory Bandages, (for Sportsmen.)

Dr. Oldridge's Balm of Columbia, the best and cheapest preparation for the Hair ever offered to the public. It seldom fails to produce Whiskers and Eye Brows in a very short time, though there were none on the face before, and has been found to excel every article that has been sold as a Curling Fluid.

Indian Vegetable Cordor; Kephalia; and a general assortment of pure French, German, and American Colicines; Lavender, Hungary, Honey, Hermitage Extract, Eau de Portugal, and Florida Waters; with a great variety of **Fancy Soaps.**

Ivory Tooth Brushes, London make
Chlorine Tooth Powder and Wash,
Queen Adelaide's do a superior article,
Carbonate Tooth Powder,
Dr. D. C. Ambler's do.

As their assortment is more complete than has ever been, they feel confident that general satisfaction will be given to all who may favor them with a call. They also return their thanks to the public for the very liberal share of patronage which has been extended to them, and request a continuance of the same.

As they have purchased their goods principally with cash, they would invite Country Merchants and Physicians to call and examine for themselves, as they are determined to sell low for cash, or to punctual customers.
Raleigh, Oct. 26, 1835.

New arrivals from London.

TURNER & HUGHES have just received at the North Carolina Book Store, the following new English publications:

The works of Jeremy Taylor, history of England, by Hume & Smollett, Gibbon's decline and fall of the Roman Empire, Arch Bishop Leighton's complete works, history of the Cotton Manufacture in Great Britain, by Edward Baines, embellished and illustrated with portrait of inventor, drawings of machinery, &c. &c.; the seats of the nobility and gentry in England and Scotland, being a collection of the most interesting and picturesque views, by W. Watts; views in the south sea islands, by James Weber; Belfast Scenery, 32 views; Tomlinson's views of the Rhine; view of British Castles, by T. H. Fielding; picturesque views of the Holy Land and Syria; life in London; the portrait gallery of distinguished females; Blauder's treasury of knowledge; a general biographical dictionary, by E. Belland; the young ladies instructor, on ornamental painting and drawing; the treasury bible; Henderson's history of Brazil, 30 plates; dictionary of sports; Harris' dictionary of the natural history of the Bible; history of the middle and working classes; Bechstein's history of cage birds; Ross' voyage; British pulpit; Bishop Pierson on the creed; Help's and Hints how to protect life and property; Autobiography of Sir Edgerton Brydges; the mirror of time; Hone's every day book, table talk and year book, or entertaining calendar of popular amusement, in 4 vols octavo, with 550 engravings; Shakespeare's plays and poems, with a sketch of his life; Dr Johnson's preface and remarks on each play, a glossary with a portrait and 40 engravings; the book of the Constitution of Great Britain; Young's intellectual philosophy; the Conciliator's text book, illustrated with 19 engravings on steel, by Capt. Thomas Brown; Barr's Scripture Student's assistant; Adams' Roman Antiquities, with 100 engravings; Beattie's essay on truth; Biblical Atlas, with 24 maps; the gold headed one; the devotional Psalter, or sacred meditations; Hannah Moore's poetic works; Heath's book of beauty for 1836, with 19 splendid engravings from drawings by the first artists; new year's gift for 1836; the life of William Cobbett, with a portrait; the whole works of Joseph Butler; Griener's mechanic's calculator; the student's cabinet library; the young gentleman's book; Balguy's history of the Telemachus by Fenelon; Joyce's scientific dialogues, with 185 cuts; Sturm's reflection on the works of God; Carmel's royal Parisian pasty cook; Cruik shank at home; Altrivie tales, by J. Hogg; the Erick shepherd; Walker's many exercises, 56 plates; Whitehead's lives of English pirates, highwaymen and robbers, 16 plates; the girls' week-day book; the Christian ladies' magazine; art of preserving the sight; perils in the woods; Lamb's dramatic Poets, 3 volumes; Cabinet annual Register; Mudie's natural history of birds; Lodge's peerage of the British Empire; National views of London; Ornithology; the natural history of birds inhabiting the United States, with figures drawn, engraved, and colored from nature, by Charles Lucien Bonaparte; the Oxford drawing book; the London Bee's Cyclopaedia, complete in 47 volumes quarto; one full set of Scott's gallery of portraits.

March 21, 1836.

D. PRATT'S
Artificial Nipple Shield,
FOR the prevention and cure of Sore Nipples. The following highly respectable certificates are deemed a sufficient recommendation for those who are afflicted in this manner.

To try them.
From Doctor Wm. P. Dewees, M. D., Professor of Obstetrics, in the Medical University of Philadelphia:
Doc. ELLAH PRATT:

Dr. Sir: As I feel it a matter of much public importance to preserve the health of the mother, and to prevent the terrible sufferings from sore nipples, I have much pleasure in being able to say, that the "Shield" you offer for the preventing and the cure of this malady, is better adapted to the purpose than any I have heretofore seen. In the two or three instances I have known them to be used, much satisfaction has been expressed, and I have no hesitation to believe it will generally succeed. I am so well persuaded of this at this moment, that I cannot forbear to express a wish that our city, through the various Apothecaries, may be supplied with them.

I am yours, &c.
M. P. DEWEES, M. D.
Philadelphia, Jan. 13, 1831.

From Dr. Thomas Seawall, Professor of Anatomy and Physiology, Columbia College, District of Columbia:
WASHINGTON CITY, 4th Feb., 1834.
Having examined Dr. Pratt's newly invented Nipple Shields, and witnessed its practical application, among my patients, I take great pleasure in recommending it as decidedly superior to anything previously known. It constitutes a perfect remedy for that distressing malady, Sore Nipples; a disease which so frequently afflicts young women.

THOMAS SEAWALL, M. D.
From Thomas P. Dewees, M. D., Professor of Obstetrics, in the Medical University of New Haven, Connecticut:
Having witnessed the application of the artificial nipple, invented by Dr. Pratt, in several cases of excoriated Nipples, in which the children attached themselves to it as readily as they would to the natural ones, and received their fill with perfect ease to the mothers, I have no hesitation in recommending it as decidedly superior to any thing of the kind which I am acquainted.

THO'S P. BEERS, M. D.
The above instrument is for sale, at the moderate price of \$2 50 cents,—by
WILLIAMS, HAYWOOD & CO.
Raleigh, Feb. 1836.

Good Luck at Pittard's Office.
NO. 37, 340 which drew the capital prize of \$6000 in the 3d class of the N. C. State Lottery which was drawn at Hillsborough on the 1st inst. was sold by Mr. Pittard of Oxford, in a package of quarter tickets to two gentlemen in Person county.

STEVENS & POINTS.

LAND FOR SALE.
THE Subscriber wishes to sell his TRACT of LAND four miles South west of Raleigh, containing four hundred Acres more or less, adjoining the lands of Joseph Hunter, Alsey Tucker and William Boylan, Esqs. The above Tract has 150 acres of good up-land as any to be found in this country. It is well watered, has a comfortable Dwelling House on it, with excellent Springs convenient to the House. Those who wish to purchase, can call on Saml. Whitaker, who lives near the land, or myself, at Raleigh.

JOHN R. WHITAKER.
March 3, 1836.

EXPUNGING.

SPEECH OF MR BENTON,
OF MISSOURI,

In the U. States Senate, March 18, 1836.

[CONTINUED.]

Mr. B. resumed. We now arrive upon firm ground, and have solid matter to go upon. We can see and feel the question, and can handle both the objection and the answer to it. The Secretary's answer is the platform of my battery, and has already expunged the objection to my motion, whether the motion shall succeed in expunging the journal or not. He says there are two sets of journals; the manuscript, which consists of one copy; and the printed, which is multiplied to 1010 copies. Hitherto the discussion has proceeded upon the assumption that there was but one copy of the journal, and that any erasure of that copy would be a total loss of the erased part. But now 1010 other copies start up to our view, stand in array before us, and offer their multiplied pages to our free perusal; and the question now is, what are all these copies for? What use is made of them in fact, and in law? The answer comes as quickly as the question can be put. First, in point of fact; that these printed journals are the only ones read, used, or referred to either in this Senate, or in the other House, before the public, or by the members themselves; secondly, that in point of law, they are on an equal footing with the original manuscript volume, and received as legal evidence in every court of justice. Such are the decisions; and, not to impede the march of my argument, by the voluminous citation of cases, I refer you for a summary of them to Peak's Law of Evidence, American edition, by Norris, in the notes at the bottom of the pages 84, 85. He says, "the printed journals of Congress have been allowed to be read without proof of their authority," and refers to cases. This puts an end to all objections. It settles all questions. Take the constitution as you please, to make or preserve journals, and it is complied with, for both is done. One copy is directed to be made; a thousand and ten are made. Parts are directed to be published. Suppose preservation is intended; the most ample precautions are taken to preserve them, and so to multiply them, that every State in the Union, and every kingdom, republic and empire, in Europe and the two Americas, shall possess copies, in addition to all the departments of the Federal Government, the library of Congress, and the offices of the Secretary of the Senate, and of the Clerk of the House. Besides all this, each Senator has two copies for himself. All these are equal in law, and many ten thousand times superior in use, to the manuscript journal. Suppose that one be blacked up and blotted on according to the import of the word expunge: is the expunged matter lost? is any fact suppressed? are gentlemen prevented from justifying themselves by showing what they had done? is the knowledge of any thing extinguished? So far from it, that if the manuscript journal should be secretly withdrawn and burnt, not a Senator would find it out to the end of his life, unless gratuitously told of it, so little does it enter into the head of any one to think of that journal, much less to look at it or to use it. Suppression of facts! Suppression of the knowledge or the fact, that the Senate of the United States in March, 1834, adjudged President Jackson to be guilty of having violated the laws and constitution of his country! the preposterous conception never entered our imaginations. We know that this act of the Senate is to live, and to live while American history lasts. We know that it is to gain new notoriety, and multiplied existences, from the very motion which I now make. To say nothing of our action, my resolution, our speeches, the newspaper publications, and the universal attraction of the public mind to the subject, our own journals are again to become the recipients of its existence, and the instruments of its diffusion over the Union, the two Americas, and all Europe. The new manuscript journal, read this morning at our table, will contain every word of this judgment; the 1010 copies to be printed will, every one, be honored with its impression.

Nothing is suppressed; nothing so in same is intended. The whole effect, and the whole design of the motion, is to declare the solemn sense of the Senate, that such proceedings ought never to have taken place; that they were wrong from the beginning, and require a remedy which expunges to the root. The order to expunge does this; and there is no other remedy which can amount to its equivalent, or stand for its substitute. It is the parliamentary phrase, and the only one in the whole vocabulary of parliamentary language, which implies that original, wrongful proceeding, which infers misconduct, as well as error, and requires redress, go into circumlocution—string epithets together—write an essay; and all united will not express the meaning, and come up to the import of this single word; reverse, repeal, rescind, annul, void; none of them will do. They all either a legal, or an innocent beginning, and fail in that flagrant conception of wrong, which the word expunge alone imports. Try them by their accepted meanings; we reverse an attainder, repeal a law,—and rescind an order; and none of these terms imply either miscon-

duct, or defect of power, in the Parliament which passed the attainder, enacted the law, or directed the order. A superior tribunal annuls and makes void the judgment of the inferior; the legal error is corrected, but judicial misconduct is not rebuked. These terms are all inadequate, and not only inadequate, but inapplicable. For they imply remedies which have no application to the state of the case against President Jackson. They all apply to future proceedings. They are all intended to arrest the progress of some measure still in a course of execution. Thus: we reverse an attainder, to stop the corruption of blood, and to prevent the forfeiture of estates; we repeal a law, to prevent its further operation; we rescind an order, to arrest its fulfillment; we annul and make void a judgment, to prevent execution from being taken upon it. In all these cases there is something to be stopped or restored; but in President Jackson's case there is nothing; no corrupted blood to be purified, or forfeited estates to be restored; no law in operation, whose progress requires to be arrested; no order, which ought to be revoked; no judgment on which execution of person or property can be taken out. The judgment against him attacks his character, not his person or property. It is a proceeding to disgrace his name and to dishonor his memory; to cover him with odium now, and execration hereafter. It is a denunciation, a stigma, a brand! and if he is willing to wear it, his judges are content. No further proceeding is mediated. The Senate does not mean to chastise the guilt it has denounced. They propose no fine, no imprisonment, no corruption of blood, no forfeiture of estate, no removal from office, and no disqualification to hold office.

Their mercy stops short of all this. By a sort of gratuitous exercise of the pardoning power, they intermit the punishment which their judgment implies. They are content to let the culprit run, unwhipped of justice, but bearing to his grave the stigma they have put upon him, and delivering down to posterity the memory which they have attained. This is what the Senate proposes; and it is absurd and nugatory, it is irrelevant, inapt, and supererogatory in us to apply a remedy which implies the arrestation of what is not impending. No, sir! our true remedy lies in the knife, with which we are to cut out, in the fire, with which we are to burn out, in the potential cautery, with which we are to extirpate the brand which has been stamped upon the first parturition of the age, for the most glorious action of his life. Expunge is the word, and expunge is the remedy. None of your reversals, repeals, rescissions, annullings, or vacatings; but let our Secretary bring the manuscript journal to his desk; open it in the presence of an assembled Senate and of attending multitudes, and encircling the odious sentence with lines as black as its own injustice, let him inscribe upon its face the indelible decree: "EXPUNGED BY ORDER OF THE SENATE." Yes, sir; expunge is the word. It is the only one that can render adequate justice to that man who has done more for the human race than any other mortal who has ever lived in the tide of times. It is true, the word bears hard upon the Senate; it implies great misconduct in them; it amounts to a reproach. But let us hear nothing of that. Let us have no posthumous appeals to the comity and dignity of the Senate. Comity and dignity! Where were they during that prolonged denunciation of one hundred days, when this fell sentence of condemnation, like poison in the sick air, hung suspended over the pale face of the country, and over the devoted head of the President! when history was ransacked and language was tortured, to find examples and epithets infamous enough and odious enough to paint his crimes? when every furious passion, bursting from its long confinement in the bosom, came ranging through this hall, crying vengeance upon the wicked destroyer of his country, and shame upon every collared slave that took his part? Where were comity and dignity then? Trampled under foot in the hot pursuit after the devoted victim! Banished from this floor; and not from this floor only, but from those galleries, where the satellites of the Bank assembled every day to applaud the assassins, and to hiss the defenders of the President, and to triumph in the impunity which the benevolence of the majority accorded to their insolence. Expunge is a severe remedy, but it is a just one. It reflects reproach, but the fault is not ours, but of those who compel us to use it. Let us go on, then, and neither compromise for difficulties, nor despair for failures. If we fail now, let us try again. If we continue to fail, and have to retire before the good work is accomplished, let us transmit and bequeath it to the democracy of America. Let us give it to the aged sire, that he may hand it down to his heir—the marion, that she may deliver it to her many son—to the young mother, that she may teach her infant babe to suck in the avenging word EXPUNGE, with the life-sustaining milk which it draws from her bosom.

Mr. B. said that he had chosen to make out his case upon reason and argument, with as little reference as possible to precedent and authority. I am, said he, in favor of the arguments which convince the understanding, in contradistinction to the authorities and precedents which subdue the will. I wish always to receive reasons myself, and therefore feel bound to render

them. Addressing an enlightened Senate, and an intelligent community, I look to their understandings, and feel safe while I speak to their judgments. I have, therefore, postponed to the last an authority drawn from the history of the American Senate,—covering the whole ground of the present case, and going far beyond what I now propose to do. It is a precedent of thirty years standing, occurring in the good days of Mr. Jefferson, when the democracy were in the ascendant in both Houses of Congress, and when the fathers of the republic,—the framers of the constitution,—were in full life, and power, to protect their work, and to see that nothing was done to impair the constitution which they had established.

Mr. B. then read:
Senate Journal, Monday, April 21, 1806.—"On motion, that every thing in the journal relative to the memorials of S. G. Ogden and Wm. S. Smith, be expunged therefrom," it passed in the affirmative. Yeas—Messrs. Adair, Coudit, Gilman, Kitchell, Logan, Mitchell, Smith of Md., Smith of N. Y., Stone, Thurston, Worthington, and Wright—13. Nays—Messrs. Adams, Baldwin, Billhouse, Pickens, Plumer, Smith of Ohio, Tracy, and White—8."

Mr. PORTER of Louisiana rose to inquire of the Senator from Missouri, at what time it was that this order for expunging had been made by the Senate, and especially whether it was at the same session?

Mr. B. replied that he was too well practised in these contests to suffer his fire to be drawn until he was ready to deliver it. He would answer the Senator from Louisiana, but not until he had arrived at the point at which the answer and the reasons for showing the immateriality of time in this case, could be given together. In the mean time, he would caution the gentleman against taking a position upon so small a point—upon a distinction without a difference; and to warn him, if he did, that he might find himself suddenly blown up.

This, said Mr. B. is an entry which we find upon our printed journal; and searching the same journal over to see what these memorials were, and what had been the proceedings of the Senate upon them, and wherefore they were ordered to be expunged, nothing, no, not any thing, no trace of these proceedings could any where be found. Recourse was then had to the manuscript journal of that year; and searching it carefully over, not a speck of the expunged proceedings could be found, nor even the place at which the expurgation had been made. And here, Mr. B. exhibited the manuscript journal to verify his statement. Unwilling to be foiled in the search, with the aid of a clerk, one of his friends had ascended to the garret rooms of the Capitol, and there, at the top of the building they had got to the bottom of this affair, and found the original minutes of the session of 1806, drew them out from their thirty year's sleep, and reconnected them into the Senate chamber. (Here Mr. B. exhibited a large unbound volume of manuscript sheets, bearing strong marks of age. They were the minutes of 1806, from which the fair copy of the bound journal had been made.) On these original minutes every thing appeared—the presentation of the memorials appeared—the statement of their contents—the Senate's leave to withdraw them—and, finally, the order to expunge every thing. Mr. B. then read the following extracts from these minutes:

"MR. ADAMS communicated two memorials, one from Samuel G. Ogden, and the other from William S. Smith, stating that they were under a criminal prosecution, for certain proceedings, into which they were led by the circumstance that their purpose was fully known to, and approved by the Executive Government of the United States; that on this prosecution, they have been treated by the Judge of the District Court of the United States at New York, Mathias B. Talmadge, Esq., in such a manner, that the same grand jury which found the bills against them, made a presentment against the Judge himself, for his conduct in taking the examination and deposition of the said Samuel G. Ogden. And the memorialists, considering Congress as the only power competent to relieve them, submit their case to the wisdom of Congress, and pray such relief as the laws and constitution of this country, and the wisdom and goodness of Congress may afford them; and the memorials were read, and,

On motion,
Ordered, That the memorialists have leave to withdraw their memorials respectively."

Mr. B. said that these entries showed a part of what was wanted, but not the whole; they were deficient in showing the reasons upon which the Senate acted in ordering the expurgation, although these reasons might be well guessed at from the statement of the contents of the petition. Other searches were then instituted into the newspapers of the day, and the journal of the House of Representatives. He was told, for he had not looked himself, that the copy of the National Intelligencer in the Library of Congress was either silent on the point, or minus a page, at that part; but the journal of the other House supplied the defect, and showed that the same memorials were presented in that body, on the same day, and that they had been ordered to be returned to the petitioners, for reasons set forth in a resolve of the House—These proceedings of the House, he would then read:

JOURNAL OF HOUSE OF REPRESENTATIVES.
Monday, April 21, 1806.
"Mr. Quincy presented to the House several memorials of Samuel G. Ogden, and of Wm. S. Smith, of the city of New York, which were received and read, respectively stating that they were under a criminal prosecution, now depending in the Circuit Court of the United States for the district of New York, for an alleged offence against the laws of the United States, in which, if guilty, they have been led into error by the conduct of officers of the Executive Government, who now intend to bring upon the memorialists the penalties of the laws, and to sacrifice their

characters, fortunes, and liberty, in expiation of their own errors, or to deprecate the vengeance of foreign governments, by offering the memorialists as victims to their resentment, that they have also experienced great oppression and injustice in the manner of conducting the said prosecution; and praying such relief therein as the wisdom of Congress may think proper to grant.

"The House then proceeded to consider the said memorials; whereupon, on motion of Mr. Early, and seconded, that the House do come to the following resolution:
Resolved, That the charges contained in the memorials of Samuel G. Ogden and William S. Smith, are, in the opinion of the House, unsupported by any evidence which, in the least degree, criminate the Executive Government of this country; that the said memorials appear to have been presented at a time, and under circumstances, insidiously calculated to excite unjust suspicion against the existing administration of the general Government, and that it would be highly improper in this House to take any step which might influence or prejudice a cause now depending in a legal tribunal of the United States; therefore,

Resolved, That said memorials be, by the Clerk of this House, returned to those from whom they came."

Having read these entries from the journal, Mr. B. said, the Senate would doubtless wish to see how the resolution of Mr. Early was disposed of, and whether the memorial of Messrs. Ogden and Smith was actually returned to them. He said, that such was the fact. The resolution of Mr. Early was adopted, not in one resolve, but piece by piece. Divisions were called, and separate votes taken upon every separate member of the resolution, making five sets of votes, and all carried in the affirmative, by yeas varying from 70 to 75; nays, varying from 15 to 8. The first list of yeas, were: Messrs. Silas Betton, Christopher Clark, Samuel W. Dana, Caleb Ellis, William Ely, Joseph Lewis, Jr., Jonathan O. Mosely, Jeremiah Nelson, Timothy Pitkin, Jr., Josiah Quincy, Benjamin Talmadge, Samuel Tenny, Thomas W. Thompson, Wm. K. Van Rensselaer, and Peleg Wadsworth.

Mr. B. then remarked upon the passages which he had read from the Senate and House journals. He said that they established every point which was material to be made out in support of his motion; they establish both the fact of expunge, and the duty to expunge, in such a case as is now presented in the proceedings against President Jackson. The memorials which were presented in the Senate and in the House of Representatives, contained criminal charges against President Jefferson. They went to criminate him as a conviver at a violation of the laws, and to stigmatize him for bad faith to those who had been his dupes. The petitions were in duplicate, and were presented simultaneously in the two Houses. In the House of Representatives they were instantly met by a resolve denying their truth, declaring them to be unfit matter to be presented to the House, and ordering them to be returned to the petitioners. In the Senate they were first ordered to be returned, but no reason assigned; they were then ordered to be expunged from it; and were expunged in the most effectual and irrecoverable manner. They were dropped from the volume. The very pages which contained them were dropped and omitted. For the journal being still in loose sheets, the sheets which contained the obnoxious proceedings were left out of the bound volume, and thus all trace of their existence disappeared. It is only by looking to the minutes and the journal of the House of Representatives, that we can find out what these petitions were. Such is the case of 1806. It is a complete and perfect precedent for the case of 1836. The memorials were attacked upon Mr. Jefferson. They contained impeachable matter against him. They charged him with connivance and secret participation in the unlawful, disastrous, and tragical expedition of Miranda. The charges which they contained had filled all the opposition newspapers of the day, and had been used for every purpose of party warfare against him. To get these criminal charges on the journals, was the next object. In the Senate, and in the House of Representatives, they were presented by the political enemies of Mr. Jefferson, and so far as they received support or countenance, it was from the ranks of the opposition. So of the proceedings against President Jackson. They are attacks upon him. They charge him with violating the laws and the constitution. They go to criminate and to stigmatize him. The charges which they exhibit were universally circulated in the opposition newspapers before they were presented in the Senate. The Bank of the United States had formally accused the President, and all the publications of the day, periodical, diurnal, and what not, that espoused the cause of the Bank, were filled with the charges. Party warfare had used them to the utmost in the fall elections of 1833; but that was not sufficient; the same party spirit, and the same party; the Bank federal party, which in 1806, wished to have its charges against Mr. Jefferson transferred from the newspapers to the journals of Congress, thence to be transmitted to posterity as a part of the legislative history of the country; that same spirit, and that same party has wished to do the same thing with the accusations against President Jackson. The Congress of 1806, both House and Senate, met this unconstitutional attempt as it deserved. The House refused the memorial, and voted it to be unsustained by evidence, and reprehensible in its character; the Senate ordered the whole proceeding, and every trace and letter of it, to be expunged from the journal. It is no purpose, Mr. President,

to expunge these proceedings, and to sacrifice their

characters, fortunes, and liberty, in expiation of their own errors, or to deprecate the vengeance of foreign governments, by offering the memorialists as victims to their resentment, that they have also experienced great oppression and injustice in the manner of conducting the said prosecution; and praying such relief therein as the wisdom of Congress may think proper to grant.

"The House then proceeded to consider the said memorials; whereupon, on motion of Mr. Early, and seconded, that the House do come to the following resolution:
Resolved, That the charges contained in the memorials of Samuel G. Ogden and William S. Smith, are, in the opinion of the House, unsupported by any evidence which, in the least degree, criminate the Executive Government of this country; that the said memorials appear to have been presented at a time, and under circumstances, insidiously calculated to excite unjust suspicion against the existing administration of the general Government, and that it would be highly improper in this House to take any step which might influence or prejudice a cause now depending in a legal tribunal of the United States; therefore,

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